

Notice of Allowability

Application No.

09/231,114

Applicant(s)

FUNAHASHI, HIROYUKI

Examiner

Paul H. Kang

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed January 11, 2007.
2. ☒ The allowed claim(s) is/are 1 and 3-33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12/28/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowable Subject Matter

1. The following is an Examiner's Statement of Reasons for Allowance:

In interpreting the claims, in light of the specification and the applicant's arguments, the Examiner finds the claimed invention to be patentably distinct from the prior art of record.

Atozawa et al., Japanese Pat. No. JP5153121, teaches the invention substantially as claimed.

Atozawa teaches a system and method for network administration wherein a first managed node gathers management information from other managed nodes connected to one of its multiplicity of ports on a wired network.

However, the prior art of record fails to teach or suggest individually or in combination a system and method in a network system comprising a plurality of terminals interconnected via a network, selecting one of the plurality of terminals to obtain information from all other interconnected terminals on the network and forward that information to the controller. In contrast, the prior art teaches a system wherein a selected node retrieves information only from managed nodes directed connected thereto, but not all nodes in the network. In Atazawa, if it is found that information from a particular node is missing or not retrieved by the selected node (e.g. because the node is not directly connected to the selected node, i.e. node is indirectly connected), a new call is generated to those nodes to retrieve the administrative information from those nodes. See Atazawa, ¶ 0018.

The Examiner finds the applicant's arguments on page 8, lines 20-22 and page 10, lines 7-11 of the amendment filed January 17, 2007 to be persuasive. The applicant argued in substance that the prior art of record does not teach a system and method in a network system comprising a plurality of terminals interconnected via a network, selecting one of the plurality of

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terminals to obtain information from all other interconnected terminals on the network and forward that information to the controller.

In order to clarify the record, the examiner notes that applicants' arguments regarding the prior art's failure to teach selecting a node to retrieve information from the other nodes. See Remarks, page 9, lines 1-10. Applicants incorrectly characterizes the prior art that certain nodes, for instance node 6g, is prewired to collect information on the other nodes. The examiner disagrees. While the certain nodes are wired to other nodes therefore capable of sharing information with one another, any node on the network may be selected to retrieve information from any other node wired to it. See Atazawa, ¶ 0018.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

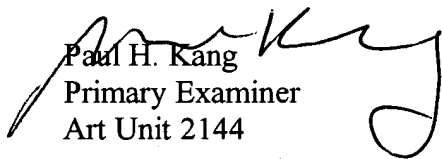
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Paul H. Kang
Primary Examiner
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